

### REMARKS

Claims 23-31 are pending and stand rejected. The Office Action rejected claims 23-30 under 35 U.S.C. §102(b) over U.S. Patent No. 6,282,583 to Pincus. The Office Actions stated that claim 31 was withdrawn. The rejections as they may apply to the claims presented herein are respectfully traversed.

As for claim 31, Applicant can find no record of withdrawing or canceling the claim. Accordingly, the Applicant believes that claim 31 remains pending.

Amended claim 23 recites a redundant bus controller (RBC) that controls access to a bus. The RBC includes a peer coupling that is configured to communicate state information of the RBC to another bus controller for coordinating control of a bus between a plurality of system hosts. A control and status register is configured to retain the state information of the RBC. Additionally, a sequencer is configured to transition the RBC between a state in which the RBC controls access to the bus and a state in which the RBC is released from controlling access to the bus according to the state information retained in the control and status register.

In contrast, Pincus includes a sequencer 24, a memory 14, processors 40, and a bus 16. See FIG. 3 of Pincus. As mentioned in Pincus “[e]ach processor reads the CPU registers in sequencer 24 prior to accessing memory 14 to determine if the processor is allowed to access [the memory].” Pincus, col. 9, lines 39-41. In other words, since the bus 16 is used to access the sequencer 24, the sequencer 24 only controls access to memory 14, not to access the bus 16. Because the processors 40 of the Pincus system must communicate with the sequencer 24 **over the bus 16** before accessing the memory 14, the sequencer 24 does not control access to the bus 16 and, therefore, is not released from controlling access to the bus 16 as recited in amended claim 23.

Consequently, since elements of claim 23 are missing from Pincus, it is believed that claim 23 is allowable over Pincus. The remaining claims 24-31 depend directly or indirectly

App. No. 10/065,185

Response to Office Action mailed May 1, 2006

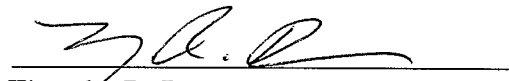
upon claim 23. Since claim 23 is allowable, it is believed that the remaining claims 24-31 are allowable.

In view of the forgoing amendments and remarks, the Applicant submits that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By



Timothy R. Baumann

Reg. No. 40,502

Date: November 1, 2006

120 S. LaSalle Street, Suite 1600

Chicago, IL 60603

Telephone: (312) 577-7000

Facsimile: (312) 577-7007